

No. 25A539

IN THE
SUPREME COURT OF THE UNITED STATES

BROOKE ROLLINS, *in her official capacity as Secretary of the United States
Department of Agriculture*, et al.

Applicants,

v.

RHODE ISLAND STATE COUNCIL OF CHURCHES, et al.,

Respondents.

ON APPLICATION TO STAY THE ORDERS ISSUED BY THE
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND AND
REQUEST FOR AN IMMEDIATE ADMINISTRATIVE STAY

**BRIEF OF *AMICI CURIAE* LOCAL GOVERNMENTS AND
LOCAL GOVERNMENT LEADERS IN SUPPORT OF RESPONDENTS**

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STATEMENT OF INTEREST

Amici are local governments and leaders from across the country.¹ They share a common interest and responsibility in protecting the general welfare of their residents, which includes a solemn duty to preserve the health and well-being of their communities. Nothing is more basic to fulfilling this obligation than access to food. Reducing hunger, limiting food insecurity, and ensuring that the most vulnerable—including people with low incomes, children, older adults, veterans, and people with disabilities—obtain food and nutrition assistance is crucial. To that end, the Supplemental Nutrition Assistance Program (SNAP) is the nation’s largest anti-hunger program, helping an average of 41.7 million—or 1 in 8—Americans per month. First Cir. Op. at 4. In short, SNAP plays an essential role in supporting millions of households across the country to keep food on the table.

Since the U.S. Department of Agriculture indicated that it might not make payments to SNAP recipients at the start of November, *amici* have been doing their best to prepare to fill the gap and minimize the confusion sown by the federal government’s arbitrary decision. In the week-and-a-half since the payments were missed, *amici*’s communities have rallied to provide whatever assistance possible and offer support to SNAP recipients and others facing food insecurity. *Amici*, the business community, faith institutions, community-based organizations, and individual volunteers are all working together to provide food support and free meals,

¹ Pursuant to Supreme Court Rule 37.6, no party or party’s counsel authored this brief in whole or in part and no person other than *amici* or their counsel made a monetary contribution to its preparation or submission. A list of all *amici* is provided at Appendix A.

give mutual aid, collect donations, and stock food pantries—but gaps persist. And this is all despite confusing guidance from the federal government and Applicants’ failure to comply with the district court’s order by not providing at least partial payments in a timely manner. *Amici*’s efforts are not sustainable, nor significant enough to match the billions in monthly SNAP funding needed. The federal government’s failure to fulfill its obligations to the courts and to Americans has created a crisis of profound significance.

The First Circuit correctly denied the federal government’s request to stay the district court’s enforcement order that required the immediate and full payment of the SNAP benefits to our residents and others across the country. As the unanimous panel pointed out, the federal government understood how unprecedented and technically difficult making partial payments would be. *See* First Cir. Op. at 21. Yet, Applicants made no attempts to mitigate any harms caused by their own creation, nor take any logistical steps to prepare for the shortfall. *Id.* Meanwhile, families across the country are facing imminent hunger. It is a moral imperative that our residents have the resources they need to feed their children and families. *Amici* respectfully urge this Court to deny the stay requested by the federal government.

SUMMARY OF ARGUMENT

There is no basis for an emergency stay, and this Court should reject the federal government’s application. Since the shutdown began, the federal government has sought to leverage critical, life-saving SNAP benefits. Despite having funds available and legal authority to distribute November payments, the federal government has refused to do so and has injected unnecessary delay, confusion, and complexity into the process. Nearly a week after issuing an initial temporary restraining order and having given the federal government two options to address the lapse in the SNAP program, the district court was forced to act once again “to restore coherence, accountability, and fidelity to the law’s intent.” *Rhode Island State Council of Churches v. Rollins*, No. 1:25-cv-569 at 3 (Nov. 6, 2025) (D. Ct. Order) (granting motion to enforce temporary restraining order). This weekend, on November 9, 2025, the First Circuit determined that the federal government had failed to make a “strong showing” that it is likely to succeed on the merits, *see* First Cir. Op. at 24, and rejected the stay request on the order relating to the motion to enforce, *see id.* at 29. The federal government now seeks immediate relief from this Court, despite its own delays. In all factors, the federal government’s application fails.

Amici local governments write separately to emphasize the critical need to require the immediate distribution of full SNAP payments. Local leaders, both in and out of government, have been scrambling to support those facing mounting bills, empty pantries, and food insecurity. Despite their best efforts to supply food banks, direct cash assistance, make donations, and offer support for other household needs,

local governments and community-based partners cannot replicate SNAP. The program provides critical assistance for millions across the country. Given this reality, the public interest as a whole is advanced by denying the federal government’s requested stay.

ARGUMENT

I. GIVEN THE SIGNIFICANT IMPACTS ON LOCAL GOVERNMENTS ACROSS THE COUNTRY, A STAY IS NOT IN THE PUBLIC INTEREST.

Even if the other conditions for a stay could be met—which they cannot—this Court should determine that “the public interest lies” in ruling against a stay application. *Ohio v. Env’t Prot. Agency*, 603 U.S. 279, 291 (2024) (citing *Nken v. Holder*, 556 U.S. 418, 434 (2009)). “Before issuing a stay, ‘[i]t is ultimately necessary . . . to balance the equities—to explore the relative harms to applicant and respondent, as well as the interests of the public at large.’” *Trump v. Int’l Refugee Assistance Project*, 582 U.S. 571, 580 (2017) (quoting *Barnes v. E-Sys., Inc. Grp. Hosp. Med. & Surgical Ins. Plan*, 501 U.S. 1301, 1305 (1991)).

Here, there can be little doubt that the public interest weighs against a stay because of the “real and immediate risk of children being deprived of their food assistance *today*.” D. Ct. Order at 23 (emphasis in original). Respondents have developed a clear record of impacts to individuals, organizations, businesses, and local governments. Other *amici* have highlighted how even attempting to implement the federal government’s partial payment plan would take weeks or even months—meaning no payments for some time, while Americans go hungry in the interim. See Br. for Massachusetts, et al., as *Amici Curiae* in Support of Appellees, at 1–6, *Rhode*

Island State Council of Churches v. Rollins, No. 25-2089 (1st Cir. Nov. 7, 2025).

Federally subsidized food assistance began to feed Americans during the Great Depression. Though programs have been reformed and benefits have changed over time, Congress has not interrupted the flow of assistance.² SNAP benefits, and its predecessors, have been critical to addressing urgent hunger in this country through prior government shutdowns and across decades of administrations of both political parties.³ *Amici*, as those closest to seeing the effects of the federal government's unprecedented actions on their communities and residents, offer their unique perspective on the ongoing effects of the delay in SNAP payments.

A. Local Governments Are Expending Significant Resources to Fill the Gaps Left by the Suspension of SNAP Funding.

Numerous local governments have rushed to find limited discretionary funds to provide direct cash assistance in early November. Budgets remain extremely tight—especially in light of other federal funding cuts or restrictions—but cities and counties nevertheless have managed to direct money to their residents in need. Several communities in the Bay Area of California, for example, have allocated funds toward electronic gift cards for CalFresh recipients.⁴ The City of Los Angeles has also reallocated available funding to provide eligible households with grocery cards, while other city departments work to provide eligible senior citizens with free meals at a

² *A Short History of SNAP*, U.S. Dep't of Agric., <https://www.fns.usda.gov/snap/history> (last updated Aug. 29, 2025), <https://perma.cc/3VZQ-RWEL>.

³ *Id.*

⁴ Katie DeBenedetti, *More Bay Area Counties Join Push to Send Prepaid Grocery Cards Amid Federal SNAP Lapse*, KQED (Nov. 5, 2025), <https://perma.cc/5ZB5-FC2A>.

local senior center or through home delivery.⁵ Similarly, San Antonio, Texas has distributed \$150 gift cards to 10,000 residents reliant on SNAP, with a focus on seniors and families involved in the Head Start program.⁶

Other municipalities have focused on giving funds directly to local food banks and other organizations that address food insecurity. Bloomington, Indiana supplied about \$50,000 in emergency funding to sustain local food banks.⁷ Charleston, West Virginia allocated \$60,000 to help city residents who rely on SNAP benefits by funding a local food bank. The mayor warned that the funds were “a drop in a bucket, but it is what we can do right now.”⁸ Additionally, the city council provided \$10,000 to city parks and recreation centers for snacks, as children can obtain free food from the centers.⁹ Santa Clara County in California immediately increased its support to a local food network partner to provide up to \$4.5 million to cover emergency food assistance due to the suspension of SNAP.¹⁰ The city council in Cambridge, Massachusetts appropriated \$250,000 to use in conjunction with a local nonprofit,

⁵ *Helping Angelenos: Mayor Bass Takes Immediate Action to Support Food Assistance Amid Federal Government Shutdown*, City of Los Angeles (Oct. 31, 2025), <https://perma.cc/9CNG-RGLZ>.

⁶ *City Launches Distribution Plan to Support Residents Impacted by SNAP*, City of San Antonio (Nov. 4, 2025), <https://perma.cc/KP8B-KELM>.

⁷ *City of Bloomington Provides Emergency Support Hoosier Hills Food Bank as SNAP Benefits Pause During Federal Shutdown*, City of Bloomington (Nov. 3, 2025), <https://perma.cc/3TFW-4BJA>.

⁸ Shelby Burrough, *Charleston City Council allocates \$60k to combat food insecurity amid SNAP pause*, WCHSTV (Nov. 3, 2025), <https://perma.cc/7JZB-8LK9>.

⁹ *Id.*

¹⁰ County of Santa Clara, County News Center, *County of Santa Clara Takes Action to Support CalFresh Beneficiaries During Federal Government Shutdown* (Oct. 30, 2025), <https://perma.cc/N9JG-8KME>.

the Cambridge Community Foundation, which allocated \$250,000, to support food access.¹¹

In Minnesota, where SNAP benefits are administered by counties, Olmsted County donated \$200,000 to a local food bank and challenged community members to raise another \$200,000.¹² Ramsey County donated \$450,000, including \$70,000 for baby formula.¹³ Commissioners in Hamilton County, Ohio voted to give \$222,000 in remaining funds to a local food bank.¹⁴ These steps, while important and impactful, merely make a dent—and are not nearly enough. In most of these communities, the amount allocated by the local government is just a small percentage of the total monthly SNAP payment, and there is little indication that these governments could make repeated payments into the future.

B. Local Governments Are Extending Support Beyond Food Assistance to Protect Their Residents.

Food insecurity and the lack of SNAP funding forces *amici*'s residents to forgo paying other bills in their households. Among other expenses, utility bills are at increased risk of going unpaid, which subjects residents to the loss of heat or power

¹¹ Sue Reinert, *As Lines Grow at City Food Pantries, Cambridge Enacts 'Stopgap Measure' in Face of Shutdown*, Cambridge Day (Nov. 5, 2025), <https://perma.cc/WME7-LHFK>.

¹² Kevin Hardy, *Local leaders rush to help, but can't fill massive SNAP void*, Stateline (Oct. 29, 2025), <https://perma.cc/AYF9-ZL7F>.

¹³ *Ramsey County to give \$450K to local food emergency system*, CBS News (Nov. 4, 2025), <https://perma.cc/PT2Y-TYKV>.

¹⁴ Alex Null, *Hamilton County leaders push for more state and federal action amid SNAP delays*, WCPO Cincinnati (Oct. 31, 2025), <https://perma.cc/4PP9-C6JD>.

just as the winter months are arriving. Where they can, local governments have taken steps to prevent utility shut offs.

El Paso County in Texas has directed the Community Services Department to temporarily expand an assistance program that will help cover utility costs for residents facing food instability due to SNAP disruption.¹⁵ Similarly, the City of Tulsa is working with the Metropolitan Utility Authority to offer a temporary grace period on water bills for SNAP recipients.¹⁶ In addition, Metro Social Services of Nashville and Davidson County in Tennessee has activated a crisis response due to SNAP disruption, which includes “increased welfare calls to elderly, disabled, and homebound clients, increased at-home welfare checks of clients, [and the deployment of] Home Ambassadors who make daily meal deliveries.”¹⁷ Nashville is also offering free transit rides, utility payment assistance, and other services to residents who have lost SNAP benefits.¹⁸

C. The Resources of Local Charities and Businesses Are Strained as a Result of the SNAP Funding Delays.

Both on their own and with support of local leaders, many local charities and food banks have increased operations to meet rising demand. For example, Greater Cleveland Food Bank supplies over a thousand food pantries in Northeast Ohio and

¹⁵ Adam Powell, *El Paso County acts to ease food insecurity amid SNAP slowdown, government shutdown*, El Paso Times (Nov. 5, 2025), <https://perma.cc/P9TA-M264>.

¹⁶ Jennifer Maupin, *Trouble paying bills? What Tulsa utilities companies offer during shutdown*, News 2 Oklahoma (Nov. 6, 2025), <https://perma.cc/7NCM-LJKR>.

¹⁷ Metropolitan Government of Nashville and Davidson County, *Resources for Residents Affected by Loss of SNAP Benefits* (Nov. 4, 2025), <https://perma.cc/7T6F-X4CU>.

¹⁸ *Id.*

is preparing to distribute six million pounds of food to meet the surge in need—a 22% increase from last November.¹⁹ “The organization emphasized that for every meal it provides, SNAP typically covers nine, making the federal shutdown’s impact impossible for food banks alone to offset.”²⁰ The increased donations for the Greater Cleveland Food Bank also come as a result of a public-private partnership among city and county government as well as major local institutions, such as Cleveland’s three major professional sports teams.²¹

St. Louis Mayor Cara Spencer launched the 2025 City Food Insecurity Fund in partnership with nonprofit organizations.²² Donations are going to emergency food assistance efforts provided by local food banks, pantries, and other community groups.²³ These groups need the additional donations to ensure that existing clients are not impacted by the surge of new clients facing food insecurity. For example, the executive director of a St. Louis food pantry worried that the drastic increase in need might force the pantry to turn residents away or cut the amount of food distributed to clients.²⁴

¹⁹ Kaylee Remington, *Cleveland food pantries see surging need as SNAP benefits stop amid federal shutdown*, Cleveland.com (Nov. 1, 2025), <https://perma.cc/39BX-ECBJ>.

²⁰ *Id.*

²¹ Mercy Sackor, *Cuyahoga County community gathers over \$600K to support residents facing potential SNAP loss*, News 5 Cleveland (Oct. 31, 2025), <https://perma.cc/A3ND-SAFQ>.

²² *Mayor Spencer Launches City Food Insecurity Fund*, City of St. Louis (Nov. 6, 2025), <https://perma.cc/83EN-GQD3>.

²³ *Id.*

²⁴ Ashlynn Couch, *St. Louis food pantries grapple with suspension of SNAP benefits*, Call Newspapers (Nov. 4, 2025), <https://perma.cc/Y96G-SASE>.

Food bank administrators have warned that food banks are not designed to replace a government safety net. The CEO of Central Texas Food Bank emphasized that the SNAP disruption was unlike natural catastrophes or other regional emergencies, because food banks could not shift resources from other parts of the state when everyone across the state was experiencing the same need.²⁵ In New Mexico, a director at a local food bank warned of a “catastrophic need for food.”²⁶

Impacts are also felt in the business community, especially among retailers that regularly serve SNAP recipients. Empirical studies show that every dollar of SNAP benefits generates \$1.54 in economic activity,²⁷ and the loss of SNAP brings a commensurate reduction in economic activity in local communities. In Kansas City, Missouri, local grocery stores are struggling. At one local store where 60% of customers use SNAP, lost business means that employee hours could be cut.²⁸ The store is down \$14,000 in November compared to the same period in October.²⁹ A local grocer in Cincinnati, Ohio who estimates that 75% of his customers use SNAP was preparing to raise prices so he could feed his own family.³⁰ In Pittsburgh, Pennsylvania, a local market chain had to cut employees’ hours when stores did not

²⁵ Barbara Sprunt, *With the outlook for SNAP benefits uncertain, food banks are warning of a crisis*, NPR (Nov. 1, 2025), <https://perma.cc/LR6F-65RX>.

²⁶ *Id.*

²⁷ Morgan Coulson, *What is SNAP? And Why Does It Matter?* Johns Hopkins Bloomberg School of Public Health (Oct. 29, 2025), <https://perma.cc/4CEZ-YG8F>.

²⁸ Grace Smith, *Government shutdown impacts local grocery stores as SNAP benefits dwindle*, KCTV5 (Nov. 5, 2025), <https://perma.cc/AZ6U-WFDZ>.

²⁹ *Id.*

³⁰ Christian Hauser, *Local grocers worry about impact of delayed SNAP benefits amid government shutdown*, Dayton 24/7 NOW (Nov. 2, 2025), <https://perma.cc/4G63-6PZC>.

receive the SNAP dollars that go toward covering overhead expenses and employee benefits at the beginning of the month.³¹ A barbeque restaurant in Phoenix, Arizona reported that 60% of its revenue comes from SNAP benefits.³² Without SNAP dollars, the restaurant will struggle to make ends meet.

A higher proportion of rural households face food insecurity than the overall population: 15.4% compared to 12.2%.³³ Any reduction in SNAP benefits has outsized impacts on rural communities, where residents depend on SNAP even more than residents of large urban areas.³⁴ Likewise, at many farmers' markets across the country, customers who use SNAP benefits receive a dollar-for-dollar match or additional credit to spend on fresh produce. In California, Sacramento-area farmers' markets project they will lose \$36,500 per week in spending without SNAP, hurting small farmers.³⁵ These stories represent just a handful of the millions of stories of individuals who have struggled as a direct result of the federal government's equivocation in its role to ensure these very basic needs are met. With every hour and every day of delay by the federal government, there are so many more.

³¹ Josh Taylor, *Sprinkle's owner says businesses are feeling impact from government shutdown too*, CBS News (Nov. 6, 2025), <https://perma.cc/54PU-RCG4>.

³² Zach Prelutsky, *Pause of SNAP benefits could have major impact on Arizona small businesses*, AZ Family (Oct. 25, 2025), <https://perma.cc/3T8M-CD3J>.

³³ Gina Plata-Nino, *SNAP's Critical Role in Rural Communities — and the Consequences of Cuts*, Food Research & Action Center (Aug. 25, 2025), <https://perma.cc/M9K2-7ADR>.

³⁴ John Newton, *SNAP – It Ain't Just For Cities*, Farm Bureau Market Intel (Aug. 14, 2017), <https://perma.cc/6AD8-V854>.

³⁵ Jeannie Nguyen, *Sacramento-area farmers brace for losses as government shutdown stalls CalFresh funds*, ABC 10 (Oct. 31, 2025), <https://perma.cc/XL4J-8SXD>.

CONCLUSION

For all of the foregoing reasons and for the reasons provided by Respondents, the request for emergency stay should be denied and full SNAP benefits should be restored immediately.

Dated: November 11, 2025

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